THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.12458 OF 2007

DATED: 15-06-2007

BETWEEN

Boddu Shantiprakash,
S/o. Late Siddiramulu,
Occ: Agriculture,
R/o. Sadasivapally,
Manakondur Village,
Karimnagar and another.

...PETITIONER

AND

The Superintendent of Police,
Karimnagar District at Karimnagar
and another.

...RESPONDENTS

ORDER:

Petitioners submit that they have given a written intimation to the second respondent on 15.05.2007 alleging that the persons mentioned in the said intimation have committed theft, which is a cognizable offence, but the second respondent has not taken any action on the said written information. Therefore, they have filed a representation before the Superintendent of Police, Karimnagar on 29.05.2007, which was forwarded to the second respondent.

The petitioners further submit that in spite of the said representation being forwarded to the second respondent, he has not taken any action either to register the case or cause an enquiry.

2. I am not inclined to express any opinion as to whether a cognizable

offence has been committed by the persons against whom the complaint has been lodged, more so, when it is alleged that the said persons are the business partners of the petitioners.

However, without expressing any opinion on the merits of the case and the contents of the complaint, the writ petition is disposed of directing the second respondent to take a decision with regard to the written intimation given by the petitioners on 15.05.2007; if it comes out that a cognizable offence has been committed, he shall register a case, on the other hand, if it comes out that no cognizable offence has been committed the decision taken by the second respondent shall be communicated to the petitioners. There shall be no order as to costs.

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V. ESWARAIAH, J

June 15, 2007
DSK